

REMARKS

I. Status of Application

By the present Amendment, Applicant amends claims 1 and 9. Applicant also adds claims 10-11 to more fully cover various implementations of the invention. Claims 1-2 and 4-11 are all the claims pending in the Application, with claims 1, 5 and 9 being in independent form. Claims 1, 2, 4 and 9 have been rejected. Claims 5-8 have been withdrawn.

The present Amendment addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

II. Formalities

The Examiner has indicated that the Formal Drawings filed on April 30, 2004 are accepted.

III. Claim Rejections Under 35 U.S.C. § 103

Claims 1, 2, 4, and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP 2000-131521 to Hirata (hereinafter “Hirata”). Applicant respectfully traverses these rejections for *at least* the reasons set forth below.

A. Independent Claim 1

Without conceding the merits of the Examiner’s rejections, Applicant has amended claim 1, as set forth above, to recite (among other things):

...wherein a transmittance characteristic of the infrared ray insulating dielectric multilayer film decreases from 90% to 10% in a range of a mesial magnitude between 600 nm and 700 nm; and
wherein a width of wavelengths, within which the transmittance characteristic decreases from

90% to 10% in the range of the mesial magnitude,
is at least 40 nm.

Support for these amendments is provided by *at least* page 19, line 25 – page 20, line 22 of the originally filed specification. No new matter has been added.

Applicant submits that claim 1 is patentable over Hirata *at least* because Hirata fails to teach or suggest the above features. Hirata teaches an image pick-up optical system 31, which includes an acid-resisting infrared cut coat that is established in body side-face 33a of cover glass 33, body side-face 34a of a convex lens 34 and image side-face 34b, and body side-face 35a of the field lens 35. Paragraph 0062 and FIG. 6. However, Hirata provides no teaching or suggestion whatsoever that a transmittance characteristic of the acid-resisting infrared cut coat taught therein decreases from 90% to 10% in a range of a mesial magnitude between 600 nm and 700 nm, as recited in claim 1. Hirata also fails to teach, or even remotely suggest, that a width of wavelengths, within which the transmittance characteristic decreases from 90% to 10% in a range of a mesial magnitude, is at least 40 nm, as claimed.

Indeed, as explained in the specification for example, according to the invention recited in claim 1, the falling characteristic in the vicinity of the mesial magnitude is moderate and the transmittance characteristic is close to the visual apprehension spectral sensitivity of actual eyes. However, this effect is nowhere taught or suggested by the Hirata reference.

Therefore, claim 1 is patentable over the cited Hirata reference for *at least* these reasons. Further, the dependent claims 2 and 4 are patentable *at least* by virtue of their dependency on claim 1. Accordingly, Applicant respectfully requests that the Examiner withdraw these rejections.

B. Independent Claim 9

In view of the similarity between the requirements of claim 9 and the requirements discussed above with respect to independent claim 1, Applicant respectfully submits that arguments analogous to the foregoing arguments as to the patentability of independent claim 1 demonstrate the patentability of claim 9. As such, it is respectfully submitted that claim 9 is patentably distinguishable over the cited Hirata reference *at least* for reasons analogous to those presented above. Thus, the allowance of this claim is respectfully solicited of the Examiner.

IV. New Claims

New claims 10-11 have been added to more fully protect the present invention. Claims 10-11 are fully supported by the original specification and no new matter has been added. Applicant submits that claims 10-11 are patentable *at least* by virtue of their dependency and by virtue of the recitations set forth therein.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
Application No.: 10/669,892

Attorney Docket No.: Q77479

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/ Andrew J. Taska /

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Andrew J. Taska
Registration No. 54,666

Date: March 17, 2008